

Notice of Allowability

Application No.

09/490,981

Examiner

David Lazaro

Applicant(s)

RAGHURAMAN ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 06/01/2006.
2. ☒ The allowed claim(s) is/are 1-4, 15, 19, 22, 24-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.


4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER


David Lazaro
August 17, 2006

Allowable Subject Matter

1. Claims 1-4, 15, 19, 22, 24-41 allowed.
2. Claims 5-14, 16-18, 20, 21 and 23 are canceled.
3. The following is an examiner's statement of reasons for allowance: In addition to applicant's remarks filed 06/01/2006, the primary reasons for allowance are the inclusion of subject matter directed towards a method (and corresponding computer readable medium and computer system) of tracing data traffic on a network that utilizes the transport control block and select events corresponding to the transport control block in creating a trace log that is accessible to determine the volume of data traveling over the network. This subject matter is represented by the following limitations in the independent claims:

“ at the transport layer of a protocol stack residing on a first device in the network, detecting, upon the occurrence on an event, a transmission or receipt of data to or from a second device on the network as a transport control block entry related to the event, the event comprising:

a send complete event, a receiving indicate even, or a receive complete event; and

in response to the transmission or receipt being detecting, copying the transport control block entry related to the event from the transport control block to a trace log” (from claim 1)

“ detecting a transport-layer request to transmit the data transmission in a transport control block;

storing in a trace log a first entry representing the transport-layer request to transmit the data transmission;

detecting an acknowledgment of the data transmission in a transport control block;
storing in the trace log a second entry representing the acknowledgment of the data transmission;
detecting the transport-layer reception of the data transmission in the transport control block;
storing in the trace log a third entry representing receiving the data transmission;
detecting the transport-layer completion of the data transmission in the transport control block;
storing in the trace log a fourth entry representing the completion of the data transmission;" (from claim 4, similar limitations in claim 15)

" a transport control block communicating with the transport protocol stack, the transport control block configured to store at least one transport control block entry, the at least one transport control block entry comprising at least one transmission parameter; and
a trace logger comprising a trace log'
wherein the trace logger is configured to copy the at least one transmission parameter to the trace log from the transport control block, the at least one transmission parameter comprising information related to at least one of a send complete event, a receiving indicate event, or a receive complete event;" (From claim 37)

This claimed subject matter is not found in the prior art, nor is it obvious in view of the prior art.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably


accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David Lazaro
August 17, 2006


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER